

SENATE BILL 2642  
By Southerland

AN ACT to amend Tennessee Code Annotated, Title 12  
and Title 29, relative to eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding the following new part 13:

§ 29-17-1301. It is the intent of the general assembly that private property rights of Tennessee residents and businesses be protected over the interests of private developers and corporations.

§ 29-17-1302. With respect to the exercise of eminent domain, public use shall not include the use of eminent domain solely or principally for the purpose of improving tax revenue or the tax base, or for the purpose of economic development. Eminent domain shall not be used by the state, any political subdivision of the state, or any other entity to which the power of eminent domain has been granted to condemn and take properties of Tennessee residents and businesses for the purpose of transferring or leasing such properties to a private developer, corporation or other non-governmental entity solely or principally for the expansion of tax revenue, increase in the taxable value of such property, or the promotion of economic development.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.